

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: LEWIS M. IRVING, Debtor.	: : : : : :	Chapter 11 Bankruptcy No. 19-13930
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DEBTOR’S MOTION TO SET BAR DATE

Lewis M. Irving (the “Debtor”), by and through undersigned counsel, David A. Scholl, Esquire, hereby requests an order setting a bar date for proof(s) of claim filed by the Debtor’s creditors pursuant to §105 of the Bankruptcy Code and Federal Rules of Bankruptcy Procedure 3003(c)(3) and for approval of the Notice of Bar Date (the “Motion”), and, in support thereof, respectfully avers as follows:

JURISDICTION

1. The Court has jurisdiction over this proceeding pursuant to 28 U.S.C. §§ 157 and 1334.
2. This is a “core” proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (M), (N) and (O). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory predicates for the relief requested herein are §105 of the Bankruptcy Code and Federal Rules of Bankruptcy Procedure 3003(c)(3).

BACKGROUND

4. On June 19, 2019, (the “Filing Date”), the Debtor filed a voluntary petition for reorganization in the United States Bankruptcy Court for the Eastern District of Pennsylvania (the

“Bankruptcy Court”) pursuant to chapter 11 of title 11 of the United States Code, as amended (the “Bankruptcy Code”).

5. Since the Filing Date, the Debtor has remained in possession of his assets and continued management of that business as a debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

RELIEF REQUESTED

6. Pursuant to Bankruptcy Rule 3003(c)(3) the Bankruptcy Court can set a bar date by which a creditor is required to file a Proof of Claim.

7. In order for the Debtor to efficiently consummate a chapter 11 plan of reorganization or liquidation and comply with the provisions of the Bankruptcy Code, including, without limitation, confirming its chapter 11 plan, it is essential that the entire creditor body is known to the Debtor.

8. Therefore, it is respectfully suggested that the notice attached hereto as **EXHIBIT A** (the “Notice of Bar Date”) should be mailed to all creditors and parties in interest advising them of the necessity to file a Proof of Claim on or before the deadline set forth in the Notice of Bar Date.

9. The Debtor prepared a Notice of Bar Date in the form attached hereto as **EXHIBIT A** and the Debtor requests this Court’s approval of the form and manner of notice.

WHEREFORE, the Debtor respectfully requests that the Bankruptcy Court enter the attached form of Order establishing a date by which all Proofs of Claim must be filed in this proceeding, approving the Notice of Bar Date, and requiring the Debtor to mail the Notice of Bar Date to all creditors and parties in interest and for such other and further relief as the Bankruptcy Court may deem just and proper under the circumstances.

Respectfully submitted,

Dated: August 4, 2019

/s/ **David A. Scholl**

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Proposed Attorney for Debtor